

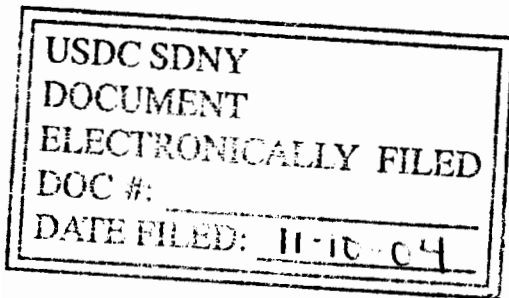
KELLOGG, HUBER, HANSEN, TODD & EVANS, P.L.L.C.

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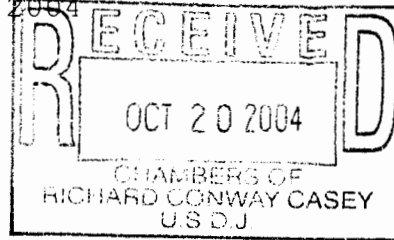
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October 19, 2004

ECF



VIA OVERNIGHT MAIL

The Honorable Richard Conway Casey  
United States District Court for the  
Southern District of New York  
United States Courthouse  
500 Pearl Street, Room 1950  
New York, New York 10007

Re: *In re Terrorist Attacks of September 11, 2001*,  
03 MDL 1570 (RCC): Application for Extension of Time  
to Effectuate Service

Dear Judge Casey:

I write in response to today's letter from Jerry S. Goldman regarding the O'Neill plaintiffs' request for a 120-day extension of time to effectuate service.

I would like to clarify two points. First, the O'Neill plaintiffs do not dispute that their letter request was filed in direct violation of this Court's June 17, 2004, Order relating to all actions filed in 03 MDL 1570. There is no provision in the procedures established by this Court for an *ex parte* application for extension, nor is there any suggestion that parties who have already appeared in one action lack standing to object to an extension for service in another action.

Second, on behalf of the Kingdom of Saudi Arabia, we have agreed to several proposals by the O'Neill plaintiffs concerning the *methodology* of service and, as long as the plaintiffs complied with certain specified procedures, we have agreed that we would not challenge the *means* of service. But we have never agreed to any extension of the *time* for service. Case

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Management Order # 2 clearly established a deadline of October 15, 2004, for service on all defendants named before June 16, 2004, in the MDL cases consolidated before this Court. The O'Neill plaintiffs filed their complaints well before June 16, 2004. The deadline for service has accordingly passed and we have not, and will not, voluntarily consent to any extension of that deadline.

Respectfully Submitted,

*Michael Kellogg / PBM*

Michael K. Kellogg

The Court has reviewed Mr. Goldman's letters of October 14 & October 19.

Mr. Goldman's request for an extension to serve certain defendants — EXCEPT Mr. Kellogg's clients — is granted with respect to Mr. Kellogg's clients, the parties are urged to work this service assignment among themselves.

11/5/04

*Kim [Signature]*